

UNITED STATES COURT OF APPEALS
FOR THE TENTH CIRCUIT

AUG 28 2002

PATRICK FISHER
Clerk

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

JEFFREY WILLIAMS,

Defendant - Appellant.

No. 01-5204
(D.C. Nos. 01-CV-12-C,
97-CR-171-C)
(N.D. Oklahoma)

ORDER AND JUDGMENT *

Before **HENRY** , and **HOLLOWAY** , Circuit Judges, and **BRORBY** , Senior
Circuit Judge.

After examining the briefs and appellate record, this panel has determined
unanimously that oral argument would not materially assist the determination of
this appeal. *See* Fed. R. App. P. 34(a)(2); 10th Cir. R. 34.1(G). The case is
therefore ordered submitted without oral argument.

* This order and judgment is not binding precedent, except under the
doctrines of law of the case, res judicata, and collateral estoppel. The court
generally disfavors the citation of orders and judgments; nevertheless, an order
and judgment may be cited under the terms and conditions of 10th Cir. R. 36.3.

Appellant Jeffrey Williams seeks to appeal from the district court's denial of his motion to vacate, set aside, or correct his sentence filed pursuant to 28 U.S.C. § 2255. To proceed on appeal before this court, appellant must obtain a certificate of appealability (COA), *see id.* § 2253(c)(1)(B). Appellant sought a COA from the district court, which request was denied. Appellant reurges that motion here. A COA will not issue unless appellant makes "a substantial showing of the denial of a constitutional right." *Id.* § 2253(c)(2). He can make this showing by demonstrating that the issues he seeks to raise are debatable among jurists of reason or deserving of further proceedings. *See Slack v. McDaniel* , 529 U.S. 473, 484 (2000).

Appellant seeks to raise six issues on appeal, all based on claims of ineffective assistance of both retained and appointed counsel in representing him on federal drug-related charges. Construing appellant's pro se pleadings liberally, *see Cummings v. Evans* , 161 F.3d 610, 613 (10th Cir. 1998), and after careful consideration of the proposed issues in light of applicable law, we conclude appellant has not met the standards for issuance of a COA.

Appellant's motion for a COA is DENIED and this appeal is DISMISSED.

Entered for the Court

Wade Brorby
Senior Circuit Judge